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8 JACOB JACOBSEN

9  
10 IN THE UNITED STATES DISTRICT COURT  
11 FOR THE EASTERN DISTRICT OF CALIFORNIA

12  
13 UNITED STATES OF AMERICA,  
14 Plaintiff,  
15 vs.  
16 JACOB JACOBSEN,  
17 Defendant.

Case No. 1:22-cr-00304-NODJ-BAM

STIPULATION REGARDING EXCLUDABLE  
TIME PERIODS UNDER SPEEDY TRIAL  
ACT; FINDINGS AND ORDER

PROPOSED DATE: January 13, 2025  
TIME: 9:00 a.m.  
COURT: NODJ

18 This case is scheduled for change of plea hearing on November 6, 2024. The parties have  
19 agreed to move this hearing to January 13, 2025.

20 Plaintiff, by and through its counsel of record, and defendant by and through his counsel  
21 of record hereby stipulate as follows:

22 1. By previous order this matter was set for a change of plea hearing on November 6,  
23 2024.  
24 2. By this stipulation, the parties agree that the change of plea hearing may be continued  
25 to January 13, 2025, and to exclude time between those two dates.

3. The parties agree, and request that the Court find the following:

- a. A continuance is required to permit a defense expert to complete her work and for counsel to consult with his client concerning the results of the evaluation.
- b. Defense counsel awaits the expert report in order to present potential mitigating information to the government that may impact the specifics of Mr. Jacobsen's plea.
- c. Both parties consent to this continuance and agree that time should continue to be excluded under the Speedy Trial Act, under 18 U.S.C. §§3161(h)(1)(A), (7)(A) and (h)(7)(B)(iv), up to and including January, 2025 for purposes of defense preparation and settlement negotiation.

## IT IS SO SIPULATED:

PHILLIP A. TALBERT  
United States Attorney

DATED: 10/28/24

/s/ David Gappa  
DAVID GAPPA  
Assistant United States Attorney  
Attorney for Plaintiff

DATED: 10/28/24

/s/ Douglas Foster  
DOUGLAS C. FOSTER  
Law Offices of Douglas C. Foster  
Attorney for Defendant  
JACOB JACOBSEN

## **ORDER**

IT IS SO ORDERED that the change of plea hearing is continued from November 6, 2024, to **January 13, 2025, at 8:30 a.m. in Courtroom 5 before the District Court Judge.** Time is excluded pursuant to 18 U.S.C. §§3161(h)(1)(A), (7)(A) and (h)(7)(B)(iv). The Court also sets a status conference for **December 11, 2024, at 1:00 p.m. in Courtroom 8 before Magistrate Judge Barbara A. McAuliffe.** If the parties file the plea agreement in advance of December 11, 2024, the Court will vacate the status conference.

IT IS SO ORDERED.

Dated: October 28, 2024

/s/ *Barbara A. McAuliffe*  
UNITED STATES MAGISTRATE JUDGE